

AMENDED IN SENATE JUNE 22, 2006

AMENDED IN ASSEMBLY JANUARY 4, 2006

AMENDED IN ASSEMBLY APRIL 25, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 607

Introduced by Assembly Member Goldberg

February 17, 2005

~~An act to amend Section 33532 of, and to add Section 33542 to, the Education Code, relating to curriculum development. An act to amend Section 17592.72 of the Education Code, relating to school facilities.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 607, as amended, Goldberg. ~~Curriculum Development and Supplemental Materials Commission: limitations on participation. School Facilities Emergency Repair Account.~~

Existing law establishes the School Facilities Emergency Repair Account in the State Treasury, to be administered by State Allocation Board, for the purpose of reimbursing school districts with schools ranked in deciles 1 to 3, inclusive, on the Academic Performance Index, as specified, for emergency facility repairs, as provided.

This bill would provide that, commencing with the 2006–07 fiscal year, the money in the account is also available to fund grants for certain, listed necessary repairs that meet certain conditions. The bill would require the board to establish a process for schools to apply for the grants and provide certification of the completion of the projects. The bill would require the board to post the grant application form on its Internet Web site.

~~(1) Existing law prohibits members of the Curriculum Development and Supplemental Materials Commission from serving more than one full 4-year term.~~

~~This bill would specify that public members of the commission are subject to this limitation.~~

~~(2) Existing law establishes the composition and operation of the commission, including the authority of the State Board of Education to appoint task forces and committees to assist and advise the commission.~~

~~This bill would prohibit a person appointed to serve as part of an advisory group to the commission from participating in that advisory group for more than one subject matter adoption.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17592.72 of the Education Code is
2 amended to read:

3 17592.72. (a) ~~All~~ (1) For the 2005–06 fiscal year, all
4 moneys in the School Facilities Emergency Repair Account are
5 available for reimbursement to schools ranked in deciles 1 to 3,
6 inclusive, on the Academic Performance Index, pursuant to
7 Section 52056, based on the 2003 base Academic Performance
8 Index score for each school, as defined in subdivision (b) of
9 Section 17592.70, to meet the repair costs of the school district
10 projects that meet the criteria specified in subdivisions (c) and (d)
11 and as approved by the State Allocation Board.

12 (2) Commencing with the 2006–07 fiscal year, all moneys in
13 the School Facilities Emergency Repair Account are available
14 for the purpose of providing emergency repair grants to schools
15 ranked in deciles 1 to 3, inclusive, on the Academic Performance
16 index, pursuant to Section 52056, based on the 2003 base
17 Academic Performance Index score for each school, as defined
18 in subdivision (b) of Section 17592.70, to cover the repair costs
19 of the school district projects identified pursuant to
20 subparagraph (L) of paragraph (1) of subdivision (d) of Section
21 17592.70 that meet the conditions specified in subdivision
22 paragraph (1) of subdivision (c) or subdivision (d), or Project
23 that meet the conditions specified in subdivision paragraph (1) of

1 *subdivision (c) or subdivision (d) that are not identified pursuant*
2 *to subparagraph (L) of paragraph (1) of subdivision (d) of*
3 *Section 17592.70. The State Allocation Board shall establish a*
4 *process for schools to apply for grants and to provide*
5 *certification of the completion of projects. The State Allocation*
6 *Board shall post the grant application form on its Internet Web*
7 *site.*

8 (b) (1) It is the intent of the Legislature that each school
9 district exercise due diligence in the administration of deferred
10 maintenance and regular maintenance in order to avoid the
11 occurrence of emergency repairs.

12 (2) Funds made available pursuant to this article shall
13 supplement, not supplant, existing funds available for
14 maintenance of school facilities.

15 (3) The board is authorized to deny future funding pursuant to
16 this article to a school district if the board determines that there is
17 a pattern of failure to exercise due diligence pursuant to
18 paragraph (1) or supplantation. If the board finds a pattern of
19 failure to exercise due diligence, the board shall notify the county
20 superintendent of schools in which the school district is located.

21 (c) (1) For purposes of this article, “emergency facilities
22 needs” means structures or systems that are in a condition that
23 poses a threat to the health and safety of pupils or staff while at
24 school. These projects may include, but are not limited to, the
25 following types of facility repairs or replacements:

26 (A) Gas leaks.

27 (B) Nonfunctioning heating, ventilation, fire sprinklers, or
28 air-conditioning systems.

29 (C) Electrical power failure.

30 (D) Major sewer line stoppage.

31 (E) Major pest or vermin infestation.

32 (F) Broken windows or exterior doors or gates that will not
33 lock and that pose a security risk.

34 (G) Abatement of hazardous materials previously
35 undiscovered that pose an immediate threat to pupil or staff.

36 (H) Structural damage creating a hazardous or uninhabitable
37 condition.

38 (2) For purposes of this section, “emergency facilities needs”
39 does not include any cosmetic or nonessential repairs.

(d) For the purpose of this section, structures or components shall only be replaced if it is more cost-effective than repair.

~~SECTION 1. Section 33532 of the Education Code is amended to read:~~

~~33532. (a) Commission members, including, but not limited to, public members, shall serve for four-year terms and shall not be eligible to serve more than one full term. Prior service on the commission for a term of less than three years resulting from an initial appointment or an appointment for the remainder of an unexpired term shall not be counted as a full term.~~

~~(b) With respect to the appointment of 13 public members by the State Board of Education to the first commission, four shall be appointed for terms of two years, four shall be appointed for terms of three years, and five shall be appointed for a term of four years.~~

~~(c) A person who has served on the commission for a full term shall not be eligible to serve on any task force, committee, or panel that acts in an advisory capacity to the commission.~~

~~SEC. 2. Section 33542 is added to the Education Code, to read:~~

~~33542. A person appointed to serve on a task force, committee, or panel that advises the commission shall not serve as a member of that task force, committee, or panel for more than one subject matter adoption.~~